

REMARKS

Reconsideration of this Application is respectfully requested. Claims 1-22, 24-26, 28-29, 31-32, 34, and 41 are pending in the application, of which claims 1, 9, and 17 are independent. Claims 30, and 36-40 are currently withdrawn. Because the claims have not been amended, no new matter has been introduced into the claims.

Interview Summary

On behalf of the Applicant, the undersigned wishes to express appreciation to Examiner Mark Fadok for the courtesies extended during the telephonic interview conducted on June 20, 2008. During the interview, the election/restriction and the rejections under 35 U.S.C. § 103(a) were discussed. The Examiner agreed that claim 4 and at least some of the restricted claims should have been examined.

Election/Restriction

As discussed during the interview, claims 30, and 36-40 are not related to divergent subject matter and it would not be a serious burden on the Examiner to search and examine claims 30, and 36-40. Accordingly, Applicant respectfully requests that claims 30, and 36-40 be examined, and the status of these claims be changed from withdrawn to pending.

Subject Matter of Claim 4 is Allowable Over Bellini and Combinations Thereof

As discussed during the interview, the subject matter of claim 4 was not specifically addressed in the office action of May 13, 2008. As amended, claim 4 recites, “wherein the receiving step comprises receiving the communication which comprises a request to change an existing order for the at least one product, the transmitting includes transmitting in response to the request and without approval from the manufacturer.” The Applicant respectfully submits that U.S. Patent No. 5,974,395 to Bellini et al. (hereinafter “Bellini”) and combinations thereof are silent with respect to this recitation related to a

change order being processed without approval from the manufacturer. Thus, the Applicant respectfully submits that claim 4 includes allowable subject matter.

Claims 1-3, 5-22, 24-26, 28-32, 34, and 36-41 are Allowable Over Bellini and Combinations Thereof

Claims 1-3, 5-7, 9-15, 17 and 41 are rejected under 35 U.S.C. § 103(a) over Bellini in view of U.S. Publication No. 20040019604 to Ballas et al. (hereinafter “Ballas”), U.S. Publication No. 2003/0225637 by Pemberton et al. (hereinafter “Pemberton”), U.S. Publication No. 2002/0116346 by Blankenstein et al. (hereinafter “Blankenstein”), and U.S. Publication No. 2004/0088422 by Flynn et al. (hereinafter “Flynn”). Claims 8, 16 and 18-35 are rejected under 35 U.S.C. § 103(a) over Bellini in view of Ballas, in view of Pemberton, and further in view of Official Notice. Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Bellini in view of Ballas, in view of Pemberton, in view of Official Notice and further in view of U.S. Publication No. 2004/0103046 to Christoph et al. (hereinafter “Christoph”). Of these rejected claims, the only rejected independent claims are 1, 9, and 17. The other rejected claims are dependent claims and are patentable for at least the reasons discussed below.

The independent claims 1, 9, and 17 include recitations related to rejections of supply orders that have been automatically transmitted. Specifically, independent claim 1 recites receiving an indicator that the automatically transmitted order for the second portion of the plurality of supplies has been rejected by the second supplier, and independent claim 9 recites a manufacturing interface module configured to receive an indicator that the automatically transmitted order for the plurality of supplies has been rejected by the supplier. Independent claim 17 recites a computer-readable program means for receiving from the supplier a first indicator that a portion of the automatically transmitted order associated with the first product has been rejected and a second indicator that a portion of the order associated with the second product has been accepted. In other words, claim 17 further includes a recitation related to a product-specific rejection of a supply order.

Bellini, Ballas, Pemberton, Flynn, Blankenstein, and Christoph are silent with respect to at least these aspects recited in the independent claims. Bellini, Ballas, and Pemberton discuss planning associated with supply chains but do not disclose or suggest rejection of automatically transmitted supply orders. Christoph is related to a handheld enterprise resource planning (ERP) system, and does not disclose or suggest rejection of automatically transmitted supply orders. Flynn and Blankenstein focus on computer-based communications and, in fact, are entirely silent with respect to supply chain planning. In addition, the Official Notice fails to cure the deficiencies of Bellini, Ballas, Pemberton, Flynn, Blankenstein, and Christoph with respect to the recitations included in independent claims 1, 9, and 17.

For at least the reasons stated above, the Applicant respectfully submits that independent claims 1, 9, and 17 are allowable over Bellini, and combinations thereof. Based at least on their dependence upon the independent claims, the various dependent claims are also allowable.

Thus, Applicant respectfully requests that the rejections under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

CONCLUSION

Applicant believes that a full and complete response has been made to the outstanding rejections and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of the claims is respectfully requested.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: *7/14/2008*

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